

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JENNIFER TYLER, an individual,

NO. 2:19-CV-172-MKD

Plaintiffs,

vs.

CHELAN COUNTY, by and  
through its agency the CHELAN  
COUNTY SHERIFF'S OFFICE, a  
Washington Municipal  
Corporation,

Defendant.

**MOTION FOR WITHDRAWAL OF  
PLAINTIFF'S COUNSEL**

4/20/2023

Without Oral Argument

COMES NOW, the plaintiff Jennifer Tyler by and through her undersigned  
counsel, and hereby submits this Motion for Withdrawal of Counsel. The facts  
and reasons for the motion are set forth herein, below.

I. **FACTS RELEVANT TO THE MOTION**

Plaintiff Jennifer Tyler filed this employment discrimination lawsuit on

1 May 17, 2019, alleging gender discrimination, harassment, and retaliation in  
2 violation of both Title VII of the Civil Rights Act of 1964, *as amended*, 42  
3 U.S.C. § 2000e-2(a) and the Washington Law Against Discrimination, RCW  
4 49.60 *et. seq.*, as well negligence under Washington state common law.  
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7 After of the filing of this Complaint, additional claims arose and other  
8 matters were resolved. Thereafter, various professional, personal, and/or  
9 medical matters arose for counsel for both parties, and the case was continued  
10 several times for these reasons. The parties agreed to temporarily forestall  
11 completion of discovery to pursue mediation, which has now been concluded as  
12 unsuccessful. The parties agreed that neither could entertain trial until at least  
13 November, 2023 due to the delay, with reset deadlines allowing for completion  
14 of discovery. Plaintiff has requested that the undersigned withdraw from  
15 representing her and the undersigned thus cannot, unfortunately, remain in the  
16 case. The undersigned has spoken to attorney Mary Schultz, whom Plaintiff  
17 also contacted, and Ms. Schultz has agreed to step in if sufficient time is given  
18 to evaluate the status of discovery, and the past and current deadlines, including  
19 agreement to move the trial out until at least November 2023. Ms. Schultz has  
20 given notice that this date may or may not be feasible based upon what is  
21 discovered as this case has an extensive historical background. The undersigned  
22 MOTION FOR WITHDRAWAL OF PLAINTIFF'S COUNSEL  
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therefore requests withdrawal, having made best efforts at obtaining a substitute attorney. Plaintiff has requested that undersigned counsel withdraw and seek an extension of all dates to enable Attorney Mary Schultz to assess this and appear as counsel. Mary Schultz has agreed to the undersigned's submission of this motion naming her, but subject to the foregoing.

## II. MOTION

Plaintiff Jennifer Tyler, through undersigned counsel, respectfully requests that this Court grant this Motion for Withdrawal of Counsel allowing her undersigned counsel Michael Kelly and Joseph Baker to withdraw and to provide time to enable Mary Schultz to review and appear on Plaintiffs behalf, at the express wish of Ms. Tyler, and Ms. Schultz's tacit agreement to appear if agreements in place and the court will allow for further discovery and continuance of trial such that she can prepare herself as she believes necessary.

1 RESPECTFULLY SUBMITTED, this 21<sup>st</sup> day of March, 2023.  
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9 By:

/s/ Michael J. Kelly  
10 Michael J. Kelly, WSBA #31816

11  
12 /s/ Joseph O. Baker  
13 Joseph O. Baker, WSBA #32203